



**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted With Initial
Filing
OR
☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number AG03-071C

First Named Inventor Federspiel

COMPLETE IF KNOWN

Application Number 10/697,787

Filing Date 10/29/2003

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Generation of Plants with Improved Pathogen Resistance and Drought Tolerance

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 10/29/2003 as United States Application Number or PCT International

Application Number 10/697,787 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | | YES | NO |
| PCT/US03/12981 | WO | 04/24/2003 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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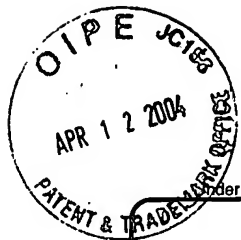
DECLARATION — Utility or Design Patent Application

| | | | | | |
|---|--|-----------|---|--|--|
| Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number | | 23500 | | OR <input type="checkbox"/> Correspondence address below | |
| Name | | | | | |
| Address | | | | | |
| City | | State | | ZIP | |
| Country | | Telephone | | Fax | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | |
| NAME OF SOLE OR FIRST INVENTOR: | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Nancy <i>Anne</i> <i>May 11/24/03</i> | | | Federspiel | | |
| Inventor's Signature <i>Nancy Federspiel</i> | | | Date <i>11/26/2003</i> | | |
| Residence: City | | State | Country | Citizenship | |
| Menlo Park | | CA | US | US | |
| Mailing Address | | | | | |
| 1345 Altschul Avenue | | | | | |
| City | | State | Zip | Country | |
| Menlo Park | | CA | 94025 | US | |
| NAME OF SECOND INVENTOR: | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Allan | | | Lammers | | |
| Inventor's Signature | | | Date | | |
| Residence: City | | State | Country | Citizenship | |
| Portland | | OR | US | CA | |
| Mailing Address | | | | | |
| 1709 S.W. Canby Street | | | | | |
| City | | State | Zip | Country | |
| Portland | | OR | 97219 | US | |
| <input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 4 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto. | | | | | |



DECLARATION — Utility or Design Patent Application

| | | | | | |
|---|--|---|---|-------------------|---|
| Direct all correspondence to: | | <input checked="" type="checkbox"/> Customer Number | 23500 | OR | <input type="checkbox"/> Correspondence address below |
| Name | | | | | |
| Address | | | | | |
| City | | State | | ZIP | |
| Country | | Telephone | | Fax | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | |
| NAME OF SOLE OR FIRST INVENTOR: | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Given Name (first and middle [if any]) | | | Family Name or Surname | | |
| Nancy | | | Federspiel | | |
| Inventor's Signature | | | | Date | |
| Residence: City | | State | Country | Citizenship | |
| Menlo Park | | CA | US | US | |
| Mailing Address | | | | | |
| 1345 Altschul Avenue | | | | | |
| City | | State | Zip | Country | |
| Menlo Park | | CA | 94025 | US | |
| NAME OF SECOND INVENTOR: | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Given Name (first and middle [if any]) | | | Family Name or Surname | | |
| Allan | | | Lammers | | |
| Inventor's Signature | | | | Date | |
|  | | | | 19 November, 2003 | |
| Residence: City | | State | Country | Citizenship | |
| Portland | | OR | US | CA | |
| Mailing Address | | | | | |
| 1709 S.W. Canby Street | | | | | |
| City | | State | Zip | Country | |
| Portland | | OR | 97219 | US | |
| <input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 4 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto. | | | | | |



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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet | Page <u>1</u> of <u>4</u> |
|--------------------|---|---------------------------|

| | | | |
|--|-----------|---|----|
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Xing Liang | | Liu | |
| Inventor's Signature <i>Xing Liang</i> | | Date <i>20 November 2003</i> | |
| Residence: City | Tualatin | State | OR |
| Country | US | Citizenship | CN |
| Mailing Address 8745 S.W. Stono Drive | | | |
| Mailing Address | | | |
| City | Tualatin | State | OR |
| ZIP | 97032 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Stanley R. | | Bates | |
| Inventor's Signature <i>Stanley R. Bates</i> | | Date <i>20 Nov. 2003</i> | |
| Residence: City | Aumsville | State | OR |
| Country | US | Citizenship | US |
| Mailing Address 10567 Stayton Road SE | | | |
| Mailing Address | | | |
| City | Aumsville | State | OR |
| Zip | 97325 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Christina | | Westerlund | |
| Inventor's Signature | | Date | |
| Residence: City | Portland | State | OR |
| Country | US | Citizenship | US |
| Mailing Address 7224 SE 17th Avenue | | | |
| Mailing Address | | | |
| City | Portland | State | OR |
| Zip | 97202 | Country | US |

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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet | Page 1 of 4 |
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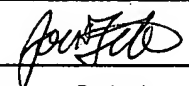
| | | | |
|--|-----------|---|----|
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Xing Liang | | Liu | |
| Inventor's Signature | | Date | |
| Residence: City | Tualatin | State | OR |
| Country | US | Citizenship | CN |
| Mailing Address 8745 S.W. Stono Drive | | | |
| Mailing Address | | | |
| City | Tualatin | State | OR |
| ZIP | 97032 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Stanley R. | | Bates | |
| Inventor's Signature | | Date | |
| Residence: City | Aumsville | State | OR |
| Country | US | Citizenship | US |
| Mailing Address 10567 Stayton Road SE | | | |
| Mailing Address | | | |
| City | Aumsville | State | OR |
| Zip | 97325 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Christina | | Westerlund | |
| Inventor's Signature <i>Christina Westerlund</i> | | Date <i>11/26/03</i> | |
| Residence: City | Portland | State | OR |
| Country | US | Citizenship | US |
| Mailing Address 7224 SE 17th Avenue | | | |
| Mailing Address | | | |
| City | Portland | State | OR |
| Zip | 97202 | Country | US |

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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet |
| Page 2 of 4 | |

| | | | | | |
|--|----------|-----------------------------------|------------------------|---|-------|
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Jonathan R. | | | Fitch | | |
| Inventor's Signature  | | | | Date 12/10/03 | |
| Residence: City | Portland | State | OR | Country | US |
| Mailing Address | | 2314 N.E. 45 th Avenue | | | |
| Mailing Address | | | | | |
| City | Portland | State | OR | ZIP | 97213 |
| | | | Country | US | |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Catherine | | | Anderson | | |
| Inventor's Signature | | | | Date | |
| Residence: City | Durham | State | NC | Country | US |
| Mailing Address | | 132 Wicklow Lane. | | | |
| Mailing Address | | | | | |
| City | Durham | State | NC | Zip | 27713 |
| | | | Country | US | |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Stephen Aaron | | | Lee | | |
| Inventor's Signature | | | | Date | |
| Residence: City | Durham | State | NC | Country | US |
| Mailing Address | | 1405 N. Gregson Street | | | |
| Mailing Address | | | | | |
| City | Durham | State | NC | Zip | 27701 |
| | | | Country | US | |

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APR 12 2004

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PTO/SB/02A (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

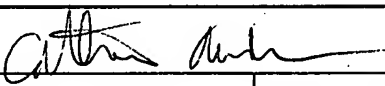
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 2 of 4

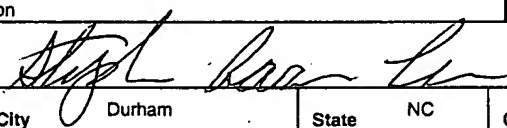
| | | | | | |
|---|----------|-----------------------------------|------------------------|---|-------|
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Jonathan R. | | | Fitch | | |
| Inventor's Signature | | | | Date | |
| Residence: City | Portland | State | OR | Country | US |
| Mailing Address | | 2314 N.E. 45 th Avenue | | | |
| Mailing Address | | | | | |
| City | Portland | State | OR | ZIP | 97213 |
| | | | | Country | US |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Catherine | | | Anderson | | |
| Inventor's Signature  | | | | Date 12/1/03 | |
| Residence: City | Durham | State | NC | Country | US |
| Mailing Address | | 132 Wicklow Lane | | | |
| Mailing Address | | | | | |
| City | Durham | State | NC | Zip | 27713 |
| | | | | Country | US |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Stephen Aaron | | | Lee | | |
| Inventor's Signature | | | | Date | |
| Residence: City | Durham | State | NC | Country | US |
| Mailing Address | | 1405 N. Gregson Street | | | |
| Mailing Address | | | | | |
| City | Durham | State | NC | Zip | 27701 |
| | | | | Country | US |

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 APR 12 2004

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|--------------------|---|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet |
| Page 2 of 4 | |

| | | | | | |
|--|----------|-------|------------------------|---|-------|
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Jonathan R. | | | Fitch | | |
| Inventor's Signature | | | | Date | |
| Residence: City | Portland | State | OR | Country | US |
| Mailing Address 2314 N.E. 45 th Avenue | | | | | |
| Mailing Address | | | | | |
| City | Portland | State | OR | ZIP | 97213 |
| | | | | Country | US |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Catherine | | | Anderson | | |
| Inventor's Signature | | | | Date | |
| Residence: City | Durham | State | NC | Country | US |
| Mailing Address 132 Wicklow Lane | | | | | |
| Mailing Address | | | | | |
| City | Durham | State | NC | Zip | 27713 |
| | | | | Country | US |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | Family Name or Surname | | |
| Stephen Aaron | | | Lee | | |
| Inventor's Signature  | | | | Date 11/21/2003 | |
| Residence: City | Durham | State | NC | Country | US |
| Mailing Address 1405 N. Gregson Street | | | | | |
| Mailing Address | | | | | |
| City | Durham | State | NC | Zip | 27701 |
| | | | | Country | US |

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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet <div style="text-align: right;">Page 3 of 4</div> |
|--------------------|--|

| | | | |
|--|---------|---|----|
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Kerrie | | Powell | |
| Inventor's Signature <i>Kerrie Powell</i> | | Date <i>11/22/03</i> | |
| Residence: City | Durham | State | NC |
| Country | US | Citizenship | US |
| Mailing Address 1204 Grandover Drive | | | |
| Mailing Address | | | |
| City | Durham | State | NC |
| ZIP | 27713 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Pilar | | Puente | |
| Inventor's Signature | | Date | |
| Residence: City | Durham | State | NC |
| Country | US | Citizenship | ES |
| Mailing Address 6 Briarwick Court | | | |
| Mailing Address | | | |
| City | Durham | State | NC |
| Zip | 27713 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Jennifer Lee | | Rhein | |
| Inventor's Signature | | Date | |
| Residence: City | Raleigh | State | NC |
| Country | US | Citizenship | US |
| Mailing Address P.O. Box 5232 | | | |
| Mailing Address | | | |
| City | Raleigh | State | NC |
| Zip | 27650 | Country | US |

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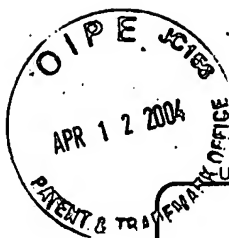


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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet | Page 3 of 4 |
|--------------------|--|-------------|

| | | | |
|--|---------|---|-------|
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Kerrie | | Powell | |
| Inventor's Signature | | Date | |
| Residence: City | Durham | State | NC |
| | | Country | US |
| Mailing Address | | 1204 Grandover Drive | |
| Mailing Address | | | |
| City | Durham | State | NC |
| | | ZIP | 27713 |
| | | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Pilar | | Puentes | |
| Inventor's Signature | | Date 1911212003 | |
| Residence: City | Durham | State | NC |
| | | Country | US |
| Mailing Address | | 6 Briarwick Court | |
| Mailing Address | | | |
| City | Durham | State | NC |
| | | Zip | 27713 |
| | | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Jennifer Lee | | Rhein | |
| Inventor's Signature | | Date | |
| Residence: City | Raleigh | State | NC |
| | | Country | US |
| Mailing Address | | P.O. Box 5232 | |
| Mailing Address | | | |
| City | Raleigh | State | NC |
| | | Zip | 27650 |
| | | Country | US |

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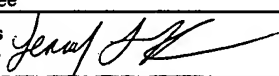
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DECLARATION

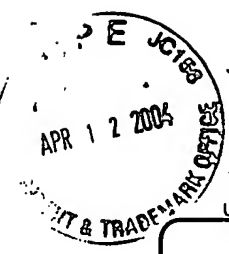
ADDITIONAL INVENTOR(S)
Supplemental Sheet

Page 3 of 4

| | | | |
|--|---------|---|----|
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Kerrie | | Powell | |
| Inventor's Signature | | Date | |
| Residence: City | Durham | State | NC |
| Country | US | Citizenship | US |
| Mailing Address 1204 Grandover Drive | | | |
| Mailing Address | | | |
| City | Durham | State | NC |
| ZIP | 27713 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Pilar | | Puente | |
| Inventor's Signature | | Date | |
| Residence: City | Durham | State | NC |
| Country | US | Citizenship | ES |
| Mailing Address 6 Briarwick Court | | | |
| Mailing Address | | | |
| City | Durham | State | NC |
| Zip | 27713 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Jennifer Lee | | Rhein | |
| Inventor's Signature  | | Date 11/23/03 | |
| Residence: City | Raleigh | State | NC |
| Country | US | Citizenship | US |
| Mailing Address P.O. Box 5232 | | | |
| Mailing Address | | | |
| City | Raleigh | State | NC |
| Zip | 27650 | Country | US |

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|--------------------|---|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet |
| Page 4 of 4 | |

| | | | |
|---|-------------|---|----|
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Philip Reid | | Timmons | |
| Inventor's Signature <i>Philip Reid Timmons</i> | | Date <i>24 NOV 03</i> | |
| Residence: City | Durham | State | NC |
| Country | US | Citizenship | US |
| Mailing Address 4423 Dula Street | | | |
| Mailing Address | | | |
| City | Durham | State | NC |
| ZIP | 27705 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Vincent Paul Mary | | Wingate | |
| Inventor's Signature | | Date | |
| Residence: City | Chapel Hill | State | NC |
| Country | US | Citizenship | US |
| Mailing Address 613 Churchill Drive | | | |
| Mailing Address | | | |
| City | Chapel Hill | State | NC |
| Zip | 27514 | Country | US |
| Name of Additional Inventor, if any | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| | | | |
| Inventor's Signature | | Date | |
| Residence: City | | State | |
| Country | | Citizenship | |
| Mailing Address | | | |
| Mailing Address | | | |
| City | | State | |
| Zip | | Country | |

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|--------------------|---|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet |
| Page 4 of 4 | |

| | | | | | |
|---|--|-------------|--|---|--|
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | | Family Name or Surname | |
| Philip Reid | | | | Timmons | |
| Inventor's Signature | | | | Date | |
| Residence: City | | Durham | | State NC | |
| Country | | US | | Citizenship US | |
| Mailing Address 4423 Dula Street | | | | | |
| Mailing Address | | | | | |
| City | | Durham | | State NC | |
| ZIP | | 27705 | | Country US | |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | | Family Name or Surname | |
| Vincent Paul Mary | | | | Wingate | |
| Inventor's Signature <i>Vincent Paul Mary Wingate</i> | | | | Date <i>21 Nov, 2003</i> | |
| Residence: City | | Chapel Hill | | State NC | |
| Country | | US | | Citizenship US | |
| Mailing Address 613 Churchill Drive | | | | | |
| Mailing Address | | | | | |
| City | | Chapel Hill | | State NC | |
| Zip | | 27514 | | Country US | |
| Name of Additional Inventor, if any | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | | | Family Name or Surname | |
| | | | | | |
| Inventor's Signature | | | | Date | |
| Residence: City | | | | State | |
| Country | | | | Citizenship | |
| Mailing Address | | | | | |
| Mailing Address | | | | | |
| City | | | | State | |
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